

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WENDI H. ANDERSON,

Plaintiff,

v.

Case No. 3:18-cv-745-MHL

THE SCHOOL BOARD OF GLOUCESTER COUNTY

Defendant.

**MEMORANDUM IN SUPPORT OF JOINT MOTION TO EXTEND DEADLINE
TO FILE MOTIONS CHALLENGING EXPERT DESIGNATION OR TESTIMONY**

Plaintiff and Defendant, by counsel, state as follows in support of their Joint Motion to Extend Deadline to File Motions Challenging Expert Designation or Testimony:

1. The Court entered an Order on May 27th, 2021, setting the deadline for the Parties to file motions challenging the designation of experts or expert testimony based on Daubert v. Merrell Dow Pharmaceuticals, Inc. as September 17, 2021. This date was previously agreed upon by the Parties.

2. Defendants were scheduled to take the deposition of one of Plaintiff's expert witnesses on August 27, 2021, which is three weeks before the deadline to file any Daubert motions.

3. On August 17, 2021, counsel for Plaintiff notified counsel for Defendant that the expert witness to be deposed had been diagnosed with shingles and the condition precluded taking the deposition as scheduled on August 27th. The deposition has been rescheduled for September 10, 2021, two weeks later—and seven days before the deadline to file any Daubert motions.

4. The Parties therefore request that the deadline to file Daubert motions be extended by two weeks to October 1, 2021, which restores the original timeline between expert depositions and the filing of Daubert motions agreed to by the Parties.

5. Given that the Parties have agreed to this proposed extension, which was necessitated by the expert's health condition, and no other deadlines are affected, no prejudice to the Parties or inconvenience to the Court will result from the extension of this deadline.

6. A proposed order is attached to the Parties' Joint Motion to Extend Deadline to File Motions Challenging Expert Designation or Testimony.

WHEREFORE, based on the forgoing, the Parties jointly move for entry of an Order extending the deadline to file motions challenging the designation of experts or expert testimony and for such further relief as the Court deems proper.

Respectfully Submitted,

SCHOOL BOARD OF GLOUCESTER COUNTY

WENDI H. ANDERSON

By Counsel

By Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of August, 2021, I have electronically filed the foregoing using the CM/ECF system, which will automatically send email notification of such filing to counsel of record as follows:

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